

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7371**  
Dominic WALSH et al. : Attorney Docket No. 2005\_0985A  
Serial No. 10/539,348 : Group Art Unit 1793  
Filed May 2, 2006 : Examiner John A. Hevey

METAL OR METAL OXIDE POROUS  
MATERIAL AND CATALYST, PREPARED BY  
USE OF DEXTRAN OR RELATED SOLUBLE  
CARBOHYDRATE POLYMER AS AN AGENT  
TO FORM POROUS THREE-DIMENSIONAL  
ARCHITECTURES FROM METAL SALTS  
OR PREFORMED PARTICLES

: **Mail Stop: AF**

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated January 15, 2009, of the Primary Examiner finally rejecting claims 34, 35, 37, 38, 40-42 and 47-50.

- (X) A timely response to the final rejection has been filed.
- (X) The extension fee of \$130.00 for a one-month extension of time is to be charged to credit card provided.
- (X) The Appeal Fee of [X] \$540.00 (other than Small Entity)  
[ ] \$270.00 (Small Entity)
- ( ) is enclosed
- (X) is to be charged to credit card provided.

- ☐ Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
- ☐ is enclosed.
- ☐ has been previously submitted.
- ☐ The Appeal Fee is not required since it was paid in a prior appeal.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Dominic WALSH et al.

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May 15, 2009